

CIVIL NO. 1:05CV343

Defendants.

[illegible]

Pursuant to 28 U.S.C. § 636(b) and the standing Orders of Designation of this Court, United States Magistrate Judge Dennis L. Howell, was designated to consider pending motions in the captioned civil action and to submit to this Court recommendations for the disposition of these motions.

The Memorandum and Recommendation contains proposed findings of fact and conclusions of law in support of a recommendation regarding Defendants' motion for summary judgment. The parties were advised that any objections to the Magistrate Judge's findings were to be filed in writing within 14 days of service of the Recommendation; the period within which to file objections expired on November 27, 2006. No written objections to the Memorandum and Recommendation have been filed.

After a careful review of the Magistrate Judge's Recommendation, the Court finds that the proposed findings of fact are supported by the record and that the proposed conclusions of law are consistent with current case law. Accordingly, the Court hereby accepts the Magistrate Judge's Recommendation that the Defendants' motion for summary judgment be allowed.

IT IS, THEREFORE, ORDERED that the Defendants' motion for summary judgment is **ALLOWED**. A Judgment is filed herewith.

Signed: November 28, 2006

A handwritten signature in dark ink, appearing to read 'L. H. Thornburg', written over a horizontal line.

Lacy H. Thornburg
United States District Judge

